

Adams County Conservation District

670 Old Harrisburg Road
Suite 201
Gettysburg, PA 17325-3404

Phone (717) 334-0636 Fax (717) 337-0730
www.adamscounty.us



REC'D 10 2007

November 21, 2007

George O. Tubies
2390 York Road
Gettysburg, PA 17325

**RE: George Tubies – Land Development
Straban Township, Adams County**

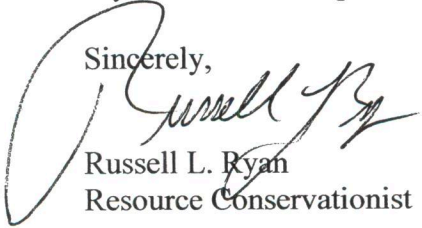
Dear Mr. Tubies,

The plan has been reviewed and is INADEQUATE to meet the requirements of PA Title 25, Chapter 102, Erosion Control. The revised plan must be resubmitted with corrections as indicated under the attached comments. The Conservation District has reviewed this plan solely to determine whether it is adequate to satisfy the requirements of 25 PA. Code 102.1 et seq., the erosion control regulations of the Department of Environmental Protection. By a determination that the plan is adequate to meet the requirements, neither the Conservation District nor the County assumes any responsibility for the implementation of the plan or the proper construction and operation of the facilities contained in the plan. The design, structure integrity, and installation of the control measures are the responsibility of the landowner and/or the earthmover. Before any construction or earthmoving may begin all appropriate and necessary local, state, and federal permits must be secured from the agency having specific permitting authority.

The District's Review Fee Rules and Guidelines state that a charge of 50% of the original fee will be imposed for all third submissions and each submission thereafter until the E&SPC plan meets the requirements of Chapter 102. Please submit a check or money order made payable to the Adams County Conservation District for the respective amount with the revised plan. Failure to submit the required fee will put the review of the project on hold until such payment is received. It should also be noted that the Conservation District reserves the right to refer the project to DEPSCRO for possible permit denial if comments are not addressed after the second submission.

If you should have questions, please contact me at (717) 334-0636.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell Ryan", is written over the printed name and title.

Russell L. Ryan
Resource Conservationist

cc: Straban Township Board of Supervisors
Jack Powell, P.E.
Wm. F. Hill and Associates, Inc.
Ron Eberts – DEP Compliance Specialist
Frank Plewa – USACE
Todd Lutte- EPA
File

George Tubies
Straban Township, Adams County

** A pre-plan review site visit/routine inspection was conducted on the morning of November 21, 2007. Mr. Robert Coleman of Straban Township accompanied me on this site visit.

The site visit revealed that the site is currently in violation of Chapter 102 regulations and the PA Clean Stream Law. A separate report and letter is being prepared and distributed.

Erosion and Sediment Control Comments

1. Soxx – Please correct all applicable Filtrexx information to reflect the soxx size to be 12” versus 8” as shown.
2. The plans should provide all proposed utility (sewer, water, electric etc.) connections to existing locations.
3. Please provide First Floor Elevation for each building.
4. Dewatering – The plans provide no guidance and direction for the proper dewatering of the pond.
5. Grading around existing pond is shown proposed within wetlands. Permits from DEP/USACE would be required for this encroachment activity.
6. Outlet pipe
 - a. There is concern as to the lack of proper cover over the outlet pipe. Please provide profile of outlet pipe system of pond.
 - b. There are concerns as to the elevation/location of your eventual pond outlet versus the elevation of design by others for restoration. The outlet elevation/location may need to be coordinated with others.

Other Comments

1. The District is requesting that this office be provided with all plans for the proposed wetland restoration being ordered by EPA and designed by others. A review of those plans for erosion and sediment control is being requested.
2. It appears that the limits of disturbance line shown do not include the current disturbance (non-stabilized) areas or the recently stoned areas. Based on all of the information provided/known, this site will most likely require NPDES permit for the discharge of stormwater from construction activity.
3. It appears that the plans do not show the limit of previous impacted wetlands due to construction of driveway.



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER QUALITY PROTECTION
RE: George O. Tubies

Report No. 1-2007

EARTH DISTURBANCE INSPECTION REPORT

Inspection Findings (check as many as appropriate)

Reference

- | | |
|--|---|
| a. No violations observed at this time: | <input type="checkbox"/> (N/A) |
| b. Failure to develop a written Erosion and Sediment Control Plan: | <input checked="" type="checkbox"/> (102.4) |
| c. Failure to have an Erosion and Sediment Control Plan available on site: | <input type="checkbox"/> (102.4) |
| d. Failure to submit Erosion and Sediment Control Plan as requested: | <input type="checkbox"/> (102.4) |
| e. Failure to implement effective Best Management Practices: | <input checked="" type="checkbox"/> (102.4) |
| f. Failure to maintain effective Best Management Practices: | <input type="checkbox"/> (102.4) |
| g. Failure to use Special Protection Best Management Practices for discharges to High Quality or Exceptional Value Waters: | <input type="checkbox"/> (102.4) |
| h. Failure to obtain an NPDES Permit for Stormwater Discharges Associated With a Construction Activity: | <input checked="" type="checkbox"/> (102.5) |
| i. Failure to obtain an Erosion and Sediment Control Permit: | <input type="checkbox"/> (102.5) |
| j. Failure to demonstrate that alternative Best Management Practices achieve regulatory standards: | <input type="checkbox"/> (102.11) |
| k. Failure to permanently stabilize the earth disturbance site: | <input checked="" type="checkbox"/> (102.22) |
| l. Failure of earth disturbance activities to comply with permit conditions: | <input checked="" type="checkbox"/> (402 CSL) |
| m. Failure to prevent sediment or other pollutant discharge into waters of the Commonwealth: | <input checked="" type="checkbox"/> (401 CSL) |
| n. Site conditions present a potential for pollution to waters of the Commonwealth: | <input checked="" type="checkbox"/> (402 CSL) |
| o. Other (describe): _____ | |

- ☒ **Inspection of this project has revealed site conditions which constitute violations of 25 Pa. Code Chapters 92 and/or 102 and the Clean Streams Law, the act of June 22, 1937, P.L. 1987, 35 P.S. §691.1 et seq.**

Additional information regarding these violations can be found on the back of this report.

Compliance Assistance Measures All disturbed areas should be properly stabilized for the interim. Sediment control bmp's should be incorporated to provide protection to culvert under Granite Station Road. Erosion and sediment control plans should be submitted to Conservation District for the earthmoving activities conducted at this property in past year.

Continued ☐

Follow-up Inspection will occur on or about (date) December 8, 2007

Sent via First Class Mail

(Signature of Site Representative)

NA

(Date)

(Inspector's Signature)

11-21-2007

(Date)

The Site Representatives' signature acknowledges that they have read the report and received a copy and that they were given an opportunity to discuss it with the inspector. The signature does not necessarily mean the signee agrees with the report.



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER QUALITY PROTECTION

Report No. 1-2007

EARTH DISTURBANCE INSPECTION REPORT

Inspection Date 11-21-2007

County Adams

Project name George O. Tubies

Total Project area 14.1

Location 2390 York Road, Gettysburg

Municipality Straban

Receiving water(s) White Run

Chapter 93 designation WWF

Responsible party George O. Tubies
(name & address)

2390 York Road

Gettysburg, PA 17325

Phone 334-6510

Weather conditions Partly cloudy

Time of Inspection am

Site Representative (name & title)

Inspector Russell Ryan

Type of Inspection (check only one)

Photographs taken Yes ☒ No ☐Routine complete ☐Routine partial ☒Follow-up ☐Complaint ☐Final ☐

Site Description & Observations: The purpose of this site visit was two fold. One was to conduct a pre-plan review site visit for a proposed land development plan and the other reason was to conduct routine inspection of the ongoing earthmoving activities at this property. I was accompanied on this site visit with Mr. Bob Coleman, a Straban Township employee. The inspection was conducted outside but adjacent of Mr. Tubies property. Grading has been done around the existing pond. Earthmoving activities appear to have been conducted in the wetland area located between pond and Granite Station Road (401 csl). Non-stabilized ditches are present along existing driveway off of Granite Station Road and thru existing wetlands (401 csl and 402 csl). The ditches outlet to headwall and culvert under Granite Station Road. Erosion and sediment control bmp's are not appropriately incorporated into the earthmoving activities on this property (102.4). It appears that building materials are stockpiled in vicinity of proposed pole building. The driveway between Granite Station Road and proposed pole building appears to have received some stone for surface coverage. Disturbed areas adjacent to stone driveway have not been stabilized. According to Mr. Coleman, excavation has commenced in vicinity of proposed other building. Soil stockpile is eroded and was not stabilized.

Continued ☐

Permit and Plan Requirements

Y N

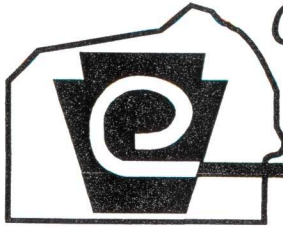
☒ ☐ Written Erosion & Sediment Control Plan required☒ ☐ Erosion & Sediment Control Plan requested☐ ☒ E & S Control Permit required☒ ☐ NPDES Permit required

_____ Phased Constr. _____ Non-Phased Constr.

Permit # _____

Type of Activity (check as many as appropriate)

☐ Pub. Road Constr./Maint. (PRC)☒ Pvt. Road/Residence (PRRS)☐ Res. Subdivision (RSBD)☒ Comm./Indust. Dev. (CMIN)☐ Govmt. Facilities (GOV)☐ Recreation Facilities (RECF)☐ Utilities Facilities (UTL)☐ Agricul. Activities (AGA)☐ Sewer/Water Systems (SWS)☐ Oil/Gas Development (OGD)☐ Remediation/Restoration (RRES)☐ Silviculture (SILV)



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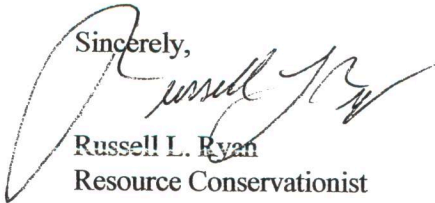
Dear Mr. Tubies,

On November 21, 2007 a representative of the Adams County Conservation District conducted an inspection at the above referenced site. A copy of the inspection report is enclosed for your use. The Adams County Conservation District, by delegation agreement with the Department of Environmental Protection is authorized to investigate complaints and inspect earthmoving activities to determine compliance with the Chapter 102, Erosion Control Rules and Regulations and The Clean Stream Law.

The inspection revealed that earthmoving activities at the above referenced site are in violation of the Rules and Regulations of the Department and The Clean Stream Law. Please submit a **written** response to this letter detailing the corrective measures taken or plans to correct the violations referenced above.

Your cooperation in resolving this matter will be greatly appreciated. If you have any questions regarding this matter, please contact me at (717) 334-0636.

Sincerely,



Russell L. Ryan
Resource Conservationist

cc: Straban Township Board of Supervisors
Frank Plewa - USACE
Ron Eberts - DEP Compliance Specialist
Todd Lutte - EPA
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